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EXAMINER
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ART UNIT	PAPER NUMBER
2166	

DATE MAILED: 04/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/409,242	VAID, RAHUL R.	
	Examiner	Art Unit	
	Robert W. Morgan	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-49 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-16 and 34-49 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Election/Restrictions

Applicant's election of Group II in Paper No. 5 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-11, 14-16, 34-38, 41 and 44-49 are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent No. 5,897,620 to Walker et al.

As per claim 1, Walker et al. teaches the claimed a pre-paid airline ticket comprising a record of an advance-purchase of an airline ticket for a fixed price that may be used by a customer to book a flight, the pre-paid airline ticket including an identifier, the identifier uniquely identifying the pre-paid airline ticket, and, associated with the identifier, a plurality of geographic flight parameters and a plurality of non-geographic flight parameters, at least one of the plurality of geographic flight parameters being an unspecified geographic flight parameter. These limitations are met by the unspecified-time ticket that includes receiving identification of flight information such as destination location and departure times, special fares and also receiving information regarding booking a ticket at the special fares (see: column 3, lines 1-11).

As per claim 2, Walker et al. teaches the claimed wherein the identifier comprises an alpha-numeric sequence. This feature is met by the seat allocation database (245, Fig. 2) that includes each flight identified by a flight number with a departure date (see: column 10, lines 7-15).

As per claim 3, Walker et al. teaches the claimed plurality of non-geographic flight parameters comprise a date, a time, a flight number, and a seat. This limitation is met by the flight schedule database (240, Fig. 2) that contains flight information including departure date, flight number and flight times and the seat allocation database (245, Fig. 2) that contains seat information (see: column 7, lines 35-41 and column 10, lines 13-15).

As per claim 4, Walker et al. teaches the claimed plurality of non-geographic flight parameters further comprise one or more unspecified non-geographic flight parameters. The unspecified-time tickets meet this feature, by incorporating flexibility regarding the origin (if there are one or more airport in the area local to the traveler) and the destination (is there more than one airport accessible for the traveler's ultimate destination) to select the best flight at a certain price. The origin and destination of the unspecified-time tickets are all examples of the geographic flight parameter (see: column 12, lines 28-44).

As per claim 5, Walker et al. teaches the claimed one or more unspecified non-geographic flight parameters comprise a range of possible values from which the one or more unspecified non-geographic flight parameters may be selected. This feature is met by the forecasted demand analysis database (230, Fig. 2) that contains information on each selling price for each fare for a given flight (see: column 7, lines 45-49).

As per claim 6, Walker et al. teaches the claimed plurality of geographic flight parameters comprise a departure location and a destination. This limitation is met by the viewing of special fare listing information including specified destination location from a specified departure location (see: column 2, lines 30-35).

As per claim 7, Walker et al. teaches the claimed dependence between two or more of the plurality of geographic flight parameters. The unspecified-time tickets meet this feature, by incorporating flexibility regarding the origin (if there are one or more airport in the area local to the traveler) and the destination (is there more than one airport accessible for the traveler's ultimate destination) to select the best flight at a certain price (see: column 12, lines 28-44).

As per claim 8, Walker et al. teaches the claimed dependence comprises a maximum distance between the destination and the departure location. The unspecified-time tickets meet this feature, by incorporating flexibility regarding the origin (if there are one or more airport in the area local to the traveler) and the destination (is there more than one airport accessible for the traveler's ultimate destination) to select the best flight at a certain price. The origin and the destination (distance) of the airports are all taken into consideration when placing a traveler aboard a flight (see: column 12, lines 28-44).

As per claims 9-11, Walker et al. teaches the claimed dependence comprises a geographical region from which the departure location must be selected for a specified destination and the destination must be selected for a specified departure location. These features are met by viewing a list of special fares to a specific destination location and a specific departure location regarding a specific route (see: column 3, lines 12-23 and column 4, lines 38-42).

As per claim 14, Walker teaches the claimed printed receipt, the printed receipt including a first part for presentation to an airline and a second part for a customer's records, the printed receipt including, in printed form, the unique identifier, the plurality of non-geographic flight parameters, and the plurality of geographic flight parameters (see: column 6, lines 27-32).

As per claim 15, Walker teaches the claimed electronic receipt, the electronic receipt including, in electronic form, the unique identifier (see: column 15, lines 34-52).

As per claim 16, Walker teaches the claimed email receipt, the email receipt including, in electronic form, the unique identifier (column 5, lines 49-54).

As per claim 34, Walker et al. teaches a method for providing pre-paid airline tickets comprising:

--the claimed storing a plurality of ticket options in a ticket option database, each ticket option comprising a ticket price and a plurality of flight parameters, at least one of the plurality of flight parameters being an unspecified flight parameter is met by the data storage device (225, Fig. 2) that includes various database such as the forecasted demand analysis database (230, Fig. 2), a flight schedule database (240, Fig. 2), a seat allocation database (245, Fig. 2), a pricing and restriction database (250, Fig. 2) and a reservation database (255, Fig. 2).

--the claimed presenting the ticket options to a customer (see: column 13, lines 31-48);

--the claimed receiving a ticket selection from the customer (see: column 13, lines 49-50);

--the claimed receiving a payment from the customer, the payment being equal to the ticket price (see: column 6, lines 45-50);

--the claimed associating a unique identifier with the selected ticket option (see: column 13, line 59-65);

--the claimed storing the unique identifier and the associated ticket option (see: column 13, line 59-65); and

--the claimed providing a pre-paid airline ticket to the customer, the pre-paid airline ticket comprising a record of the unique identifier and a record of one or more of the plurality of flight parameters (see: column 6, lines 27-32).

As per claim 35, Walker et al. teaches the claimed booking a flight using the pre-paid airline ticket (see: column 2, lines 43-53).

As per claim 36, Walker et al. teaches the claimed booking a flight is performed interactively using the World Wide Web (see: column 5, lines 49-54 and column 6, lines 52-59).

As per claim 37, Walker et al. teaches the claimed periodically updating the ticket option database from a remote airline server. This limitation is met by the central server (301, Fig. 3) of a central reservation system CRS (300, Fig. 3) that performs all the operation of a conventional CRS that includes update all the databases regarding seating, flight information and price (see: column 7, lines 51-64 and column 10, lines 1-4).

As per claim 38, Walker et al. teaches the claimed receiving a payment from the customer further comprises transferring funds for the customer using a remote financial transaction server. This feature is met by the airline (100, Fig. 1) possibly requiring a guarantee payment for a ticket with a credit card number (see: column 6, lines 33-51).

As per claim 41, Walker et al. teaches providing a pre-paid airline ticket further comprises generating a printed receipt, the printed receipt including a first part for presentation

to an airline and a second part for the customer's records, the printed receipt including, in printed form, the unique identifier and the plurality of flight parameters (see: column 6, lines 27-32).

As per claim 44, Walker et al. teaches a computer program embodied on a computer-readable medium for providing pre-paid airline tickets using a pre-paid ticket identifier database, the database comprising a plurality of records, each record including a plurality of fields, the plurality of fields comprising:

--the claimed identifier field, the identifier field including an identifier that uniquely identifies a pre-paid airline ticket (see: column 9, lines 56-67 and Fig. 7); and

--the claimed plurality of geographic flight parameter fields and a plurality of non-geographic flight parameter fields, at least one of the pluralities of geographic flight parameter fields including an unspecified geographic flight parameter (see: column 9, lines 56-67 and Fig. 7).

As per claim 45, Walker et al. teaches the claimed identifier included in the identifier field comprises an alpha-numeric sequence (see: column 10, lines 7-15).

As per claim 46, Walker et al. teaches the claimed plurality of non-geographic flight parameter fields include a restrictions field, the restrictions field including any restrictions on use of an associated pre-paid airline ticket (see: column 10, lines 16-25).

As per claim 47, Walker et al. teaches the claimed unspecified geographic flight parameter comprises a plurality of choices from which the unspecified geographic flight parameter may be specified. This feature is met by the forecasted demand analysis database (230, Fig. 2) that contains information on each selling price for each fare for a given flight (see: column 2, lines 54-67 and column 7, lines 45-49).

As per claim 48, Walker et al. teaches the claimed plurality of geographic flight parameter fields include an allowed destinations field and an allowed departures field. This limitation is met by the viewing of special fare listing information including specified destination location from a specified departure location (see: column 2, lines 30-35, column 10, lines 56-67 and Fig. 7).

As per claim 49, Walker et al. teaches the claimed plurality of geographic flight parameter fields includes a region field, the region field providing information, which establishes dependence between an allowed destinations field, and an allowed departures field. These features are met by viewing a list of special fares to a specific destination location and a specific departure location regarding a specific route (see: column 3, lines 12-23, column 4, lines 38-42 and column 10, lines 56-67 and Fig. 7).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 12-13 and 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,897,620 to Walker et al. in view of U.S. Patent No. 5,953,705 to Oneda.

As per claim 12, Walker et al. teaches a system and method to create and sell unspecified-time airline tickets corresponding to a special fare (see: column 2, lines 25-29).

Walker et al. fails to teach a wallet-sized card, the wallet-sized card including a magnetic strip, the magnetic strip comprising an encoded representation of the unique identifier.

Oneda teaches an airplane ticket system using IC cards (38, Fig. 2C) that are wallet-sized with a magnetic stripe (300, Fig. 2B) and a ten-key portion (308, Fig. 2B) for inputting a personal identification code (see: column 7, lines 66 to column 19).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to include the airplane ticket IC cards with a magnetic stripe as taught by Oneda within the unspecified-time airline tickets as taught by Walker et al. with the motivation of securing the identification of a traveler, thereby providing a fast and efficient way of for a traveler to board their flight.

As per claim 13, Walker et al. teaches a system and method to create and sell unspecified-time airline tickets corresponding to a special fare (see: column 2, lines 25-29).

Walker et al. fails to teach a wallet-sized card, the wallet-sized card including a bar code, the bar code comprising an encoded representation of the unique identifier.

Oneda teaches an airplane ticket system using IC cards (38, Fig. 2C) that are wallet-sized with a magnetic stripe (300, Fig. 2B) and a ten-key portion (308, Fig. 2B) for inputting a personal identification code (see: column 7, lines 66 to column 19). Oneda also teach an IC card portion (312, Fig. 2C) on the IC card (38, Fig. 2C), which the Examiner considers to be similar to a bar code.

The motivation for combining the respective teachings of Walker et al. and Oneda are discussed above in the rejection of claim 12, and incorporated here.

As per claim 39, Walker et al. teaches a system and method to create and sell unspecified-time airline tickets corresponding to a special fare (see: column 2, lines 25-29).

Walker et al. fails to teach the claimed providing a pre-paid airline ticket further comprises generating a wallet-sized card with the unique identifier encoded in a magnetic strip.

Oneda teaches an airplane ticket system using IC cards (38, Fig. 2C) that are wallet-sized with a magnetic stripe (300, Fig. 2B) and a ten-key portion (308, Fig. 2B) for inputting a personal identification code (see: column 7, lines 66 to column 19).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to include the airplane ticket IC cards with a magnetic stripe as taught by Oneda within the unspecified-time airline tickets as taught by Walker et al. with the motivation of securing the identification of a traveler, thereby providing a fast and efficient way of for a traveler to board their flight.

As per claim 40, Walker et al. teaches a system and method to create and sell unspecified-time airline tickets corresponding to a special fare (see: column 2, lines 25-29).

Walker et al. fails to teach providing a pre-paid airline ticket further comprises generating a wallet-sized card with the unique identifier encoded in a bar code.

Oneda teaches an airplane ticket system using IC cards (38, Fig. 2C) that are wallet-sized with a magnetic stripe (300, Fig. 2B) and a ten-key portion (308, Fig. 2B) for inputting a personal identification code (see: column 7, lines 66 to column 19). Oneda also teach an IC card portion (312, Fig. 2C) on the IC card (38, Fig. 2C), which the Examiner considers to be similar to a bar code.

The motivation for combining the respective teachings of Walker et al. and Oneda are discussed above in the rejection of claim 39, and incorporated here.

Claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,897,620 to Walker et al.

As per claim 42, Walker et al. teaches a system including a travel agent (110, Fig. 1), who is contacted by a traveler (105, Fig. 1) to purchase airline ticket at a special fare. The travel agent (110, Fig. 1) logs on to a central reservation system CRS (300, Fig. 3) to check flight availability and once availability is verified the travel agent (110, Fig. 1) notifies the traveler (105, Fig. 1) and the ticket is purchased (see: column 5, lines 49 to column 6, lines 8).

Walker et al. fails to teach the claimed plurality of pre-paid airline tickets are provided to a wholesale customer, the wholesale customer further reselling one or more of the pre-paid airline tickets to a retail customer.

It is well known in the field of airline travel that wholesaler purchase tickets in quantity to lower the price and then resell to a retail customer for profit. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the wholesale purchase of ticket and resale of the ticket to a retail customer within the unspecified-time airline tickets as taught by Walker et al. with the motivation providing a traveler with inexpensive airplane tickets, thereby preventing the customer from spending inflated prices for travel.

As per claim 43, Walker et al. teaches a system and method to create and sell unspecified-time airline tickets corresponding to a special fare (see: column 2, lines 25-29).

Walker et al. fails to teach providing an electronic bulletin board where pluralities of customers resell pre-paid airline tickets.

It is well known in the field of airline travel to electronically post unused airline ticket on the Internet to allow the original purchaser of the ticket to recover their original investment. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include an electronic bulletin board where customers can resell airline tickets within the unspecified-time airline tickets as taught by Walker et al. with the motivation of allowing the original ticket purchaser wanting to resell their tickets, the ability to reach more potential buyer, thereby possibly recovering any lost money.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

In related art (6,134,309) Carson discloses a pre-paid phone card with a fixed fee which entitles the user a set number of long distance phone service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Morgan whose telephone number is 703-605-4441. The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9588. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

RWM
rwm
March 25, 2002

JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
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